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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,628	07/31/2001	Chien Teh Huang	MR1957-572	1548

4586 7590 04/11/2007
 ROSENBERG, KLEIN & LEE
 3458 ELLICOTT CENTER DRIVE-SUITE 101
 ELLICOTT CITY, MD 21043

EXAMINER

FRIEDMAN, CARL D

ART UNIT	PAPER NUMBER
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3632

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/917,628

Applicant(s)

HUANG, CHIEN TEH

Examiner

Anita M. King

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 5-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 5-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

This is the sixth office action for application number 09/917,628, Retaining and Fixing Structure of Raised Floor Holder, filed on July 31, 2001.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 6, 2006 has been entered.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 222. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

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informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 3,830,468 to Whitchurch et al., hereinafter, Whitchurch, in view of U.S. Patent 4,934,706 to Marshall, in view of U.S. Patent 4,996,804 to Naka et al., hereinafter, Naka, and in further view of U.S. Patent 3,027,140 to Holzbach.

Whitchurch discloses a holder body (32) having a screw hole thereon, a pipe cover (43) disposed at a top of the holder body and having a large diameter portion and a small diameter portion situated below the large diameter portion, wherein the small diameter portion is matched inside the top of the holder body and comprises an annular retaining groove (50). A fixing stud (52) screwed into the screw hole of the holder body, a first end of the stud being matched into the annular groove of the pipe cover. The pipe cover has an assembly hole (44) thereon, with a plate (48) being disposed above the holder body, a rod (46) fixedly disposed at a bottom of the plate, and the rod matched into the assembly hole. Whitchurch however does not show the end of the fixing stud having a knurled circular turn knob. Knobs are well known in the art and Marshall shows a fixing stud (20) with a circular knurled knob (21). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to

have modified the fixing stud in Whitchurch to have included a circular knurled knob as taught by Marshall for the purpose of facilitating turning the stud.

Whitchurch in view of Marshall further fails to specifically teach the large-diameter portion to define about an axis thereof of polygonal/hexagonal outer contour. Naka divulges a retaining and fixing structure including a holder body (7) and a pipe cover (5) having large and small diameter portions, wherein the large diameter portion defined about an axis thereof a polygonal/hexagonal outer contour. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the larger diameter portion of Whitchurch in view of Marshall to have been of a polygonal/hexagonal contour as taught by Naka for the purpose of facilitating rotation of the pipe cover, in addition to providing an alternate rotation means.

Whitchurch in view of Marshall and in further view of Naka combined show all features of the claimed invention including the assembly hole (44) being a screw hole, the rod body (46) being a screw rod and the rod body being screwed into the assembly hole. Whitchurch in view of Marshall and in further view of Naka do not however disclose a screw nut on the rod body. Holzbach shows a rod body (5) with a screw nut (11). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the assembly in Whitchurch in view of Marshall and in further view of Naka to have included a screw nut as taught by Holzbach for the purpose of providing a means to lock the rod in place, which is well-known in the art.

Claims 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Whitchurch in view of Marshall, Naka, and Holzbach and in further view of U.S. Patent

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5,947,424 to Heath. Whitchurch in view of Marshall and in further view of Naka and Holzbach discloses the claimed invention except for the limitation of a screw nut on the fixing stud. Putting a screw nut on a set screw, or fixing stud, is well-known in the art and Heath discloses a set screw 922) with a nut keeping the screw locked in place. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the fixing stud in Whitchurch in view of Marshall and in further view of Naka and Holzbach to have included the screw nut as taught by Heath for the purpose of providing a means for keeping the stud in a locked position.

Response to Arguments

Applicant's arguments with respect to the previously pending claims have been considered but are moot in view of the new ground(s) of rejection.

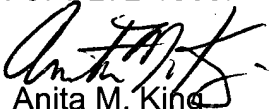
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (571) 272-6817. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on (571) 272-6842. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Anita M. King
Primary Examiner
Art Unit 3632

April 2, 2007